

EXHIBIT P

[October 1, 2019 letter from Eric Vandevelde to
Kathleen Hartnett – REDACTED]

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

333 South Grand Avenue
Los Angeles, CA 90071-3197
Tel 213.229.7000
www.gibsondunn.com

Eric D. Vandeveld
Direct: +1 213.229.7186
Fax: +1 213.229.6186
EVandeveld@gibsondunn.com

October 1, 2019

VIA ELECTRONIC MAIL

Kathleen Hartnett
Boies Schiller Flexner LLP
44 Montgomery St., 41st Floor
San Francisco, CA 94104

Re: Oracle USA, Inc. et al. v. Rimini Street, Inc. & Seth Ravin Case No. 2:10-cv-0106-LRH-VCF (D. Nev.)

Dear Kathleen:

I write in response to your letter of yesterday, September 30, 2019.

As we have discussed in several prior letters, there has been no spoliation of any evidence. Rimini had no obligation to preserve intermediate, duplicate copies of files, and indeed, Rimini candidly informed Oracle of its process of deleting these intermediate, duplicative files from its FTP server almost a year ago—and Oracle raised no issue until now. Rather than rehash these issues, I write specifically regarding Oracle's intended motion to compel, described in your letter. Oracle's motion is unnecessary and would be a waste of judicial resources because Rimini has already agreed to the relief Oracle seeks.

First, Rimini already agreed to search for and produce the files at issue. Indeed, yesterday, Rimini produced approximately [REDACTED] such files, and Rimini is continuing to locate additional files. At this time, we do not have a "date certain" by which we can commit to finishing that production, but we anticipate being able to provide you an estimate within a week.

Second, Rimini is already in the processes of modifying its AFW TransferFile tool to preserve the intermediate, duplicate copies at issue. Specifically, the new tool, as modified, will copy the intermediate, duplicate copies to an archived location before deleting them from the FTP folders. Going forward, files sent using the TransferFile tool will be recoverable from this single archived location. To be clear, Rimini is taking this cooperative step in light of Oracle's recent interest in the intermediate, duplicate copies of these files, and the complexity of searching for and producing the original files. By preserving these files going forward in this manner, Rimini is not conceding that it was previously required to so.

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Third, Oracle requests that Rimini “preserve all materials related to its support of Oracle software, including all materials on Rimini’s AFW FTP server.” Rimini will continue to do so, as it has been, consistent with its legal obligations.

Thus, we believe any motion practice is unnecessary and unwarranted. We look forward to speaking with you today on our scheduled teleconference.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Eric D. Vandavelde".

Eric D. Vandavelde

EDV/cjm

cc: Karen L. Dunn
Kathleen R. Hartnett
William Isaacson
Ashleigh Jensen
Tran Le
Richard J. Pocker
Beko Reblitz-Richardson
Sean Rodriguez
Gabriel Schlabach
Samuel Ungar
Zachary S. Hill
David Kocan
Lisa S. Lee
Jacob J.O. Minne
John A. Polito
Lindsey M. Shinn
Benjamin P. Smith
Sharon R. Smith